

**NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED CHANGES  
IN THE REGULATIONS PERTAINING TO  
DATA COST-SHARING**

Pursuant to the requirements of Government Code section 11346.8(c), and section 44 of Title 1 of the California Code of Regulations (CCR), the Department of Pesticide Regulation (DPR) is providing notice of changes made to the proposed text of sections 6312(c) and 6314 of Title 3, CCR. These changes are in response to comments received during the public comment period. The public comment period on the originally proposed regulatory action closed on June 19, 2006. The Director finds that the modifications are sufficiently related to the original text of the proposed action. The modified text is being made available to the public for 15 days, during which written comments on the modifications will be received as provided in Government Code section 11346.8(c).

DPR will accept written comments relevant to the modifications between August 14, 2006, and 5:00 p.m. on August 29, 2006. Written comments relevant to the modifications may be sent via e-mail <dpr06003@cdpr.ca.gov>; or may be directed to Ms. Polly Frenkel, Chief Counsel, or Ms. Ann Prichard, Department of Pesticide Regulation, 1001 I Street, P.O. Box 4015, Sacramento, California 95812-4015. FAX: (916) 324-1452.

In response to the comments received, DPR has made sufficiently related changes to the text from that which was originally proposed.

- DPR has modified section 6312(c) to reflect that the generic registrant should be responsible for showing what data, other than that which belong to the data owner, supports the registration of its product.
- DPR proposes to clarify section 6314 with respect to the time within which the Director must cancel the registration of a product after a determination that the generic registrant has not made the required offer to pay. This modification would be consistent with Food and Agricultural Code section 12811.5(f).

Current wording of the regulation is shown in normal type. Originally proposed additions are shown by underline. Originally proposed deletions are shown by ~~strikeout~~. New proposed deletions are indicated by *italics and strikeout*. New wording to be added by the modifications is shown in **bold double underline**.

All written comments received by 5:00 p.m. on August 29, 2006, which pertain to the indicated changes, will be reviewed and considered in this rulemaking. Please limit your comments to the modifications of the text.

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Mary-Ann Warmerdam, Director  
Department of Pesticide Regulation

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Date